

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

## **ORDER**

On November 9, 2020, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 3, 4.) No objections were filed within the time limits prescribed by § 636.

The court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS THEREFORE ORDERED** that Plaintiff's individual capacity claims against Defendants Sergeant Stout, Captain Rogers, and Officer Land are allowed to proceed, but that his claims against Defendant First Lieutenant Childessler are dismissed pursuant to 28 U.S.C. § 1915A for failing to state a claim upon which relief may be granted.

This the 6th day of January, 2021.

William L. Osten, Jr.  
United States District Judge